

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Fairweather et al.  
 Title: TETANUS TOXIN POLYPEPTIDES  
 Appl. No.: 10/018,997  
 Filing Date: 12/26/2001

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Commissioner for Patents  
 Washington, D.C. 20231

Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on February 21, 2002, in the above-identified application, transmitted herewith are the missing parts needed to complete the filing of the subject patent application.

Enclosed are:

- [ X ] Declaration and Power of Attorney (4 pages)
- [ X ] Return Copy of Notice to File Missing Parts
- [ X ] Subsequent Preliminary Amendment (6 pages)
- [ X ] Copy of the Sequence Listing in computer readable form and paper copy (11 pages)
- [ X ] Statement to Support Filing and Submission in Accordance with 37 C.F.R. Section 1.821-1.825 (2 pages)

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$740.00	\$0.00
Total Claims:	17	- 20	= 0	x \$18.00	= \$0.00
Independents:	2	- 3	= 0	x \$84.00	= \$0.00
If any Multiple Dependent Claim(s) present:			+	\$280.00	= \$0.00

Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee	+	\$130.00	=	\$130.00
				<hr/>
		SUBTOTAL:	=	\$130.00
[ ] Small Entity Fees Apply (subtract ½ of above):			=	\$0.00
		TOTAL FILING FEE:	=	\$130.00
		TOTAL FEE	=	\$130.00
				<hr/>
Difference to pay:			=	-
				<hr/>

[ X ] Check in the amount of (\$130.00) in payment of surcharge fee (37 C.F.R. § 1.16(e))

[ ] Please charge Deposit Account No. 19-0741 in the amount of \$130.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 11, 2002

By Michele M. Simkin

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5538  
Facsimile: (202) 672-5399

Michele M. Simkin  
Attorney for Applicant  
Registration No. 34,717

04/15/2002 LLANDGRA 00000073 10018997

01 FC:154

130.00 DP



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 801  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

BDS

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/078,997	Neil Fraser Fairweather	078883-0143
INTERNATIONAL APPLICATION NO. PCT/GB00/02428		
I.A. FILING DATE		PRIORITY DATE
06/23/2000		06/25/1999

Foley & Lardner  
 Washington Harbour  
 3000 K Street NW  
 Suite 500  
 Washington, DC 20007-5143

CONFIRMATION NO. 2604

371 FORMALITIES LETTER



\*OC000000007492027\*

Date Mailed: 02/21/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,997	PCT/GB00/02428	078883-0143